UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1998/953
14 October 1998

ORIGINAL: ENGLISH

LETTER DATED 14 OCTOBER 1998 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the information on the endorsement by the Government of the Yugoslav Republic of Serbia of the accord reached by Slobodan Milosevic, President of the Federal Republic of Yugoslavia, and the United States Special Envoy, Richard Holbrooke (see annex).

I would be grateful if you would have the present letter and its annex distributed as a document of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

98-30556 (E) 141098

/...

Annex

The Serbian Government endorsed the accord reached by President Milosevic

The Serbian Government held a session on Tuesday chaired by Prime Minister Mirko Marjanovic to discuss a report presented by Serbian President, Milan Milutinovic, on the political talks held by the President of the Federal Republic of Yugoslavia, Slobodan Milosevic, with the Special Envoy of the United States of America, Richard Holbrooke.

President Milutinovic informed the Government of the talks held for several days between President Milosevic and Mr. Holbrooke and Christopher Hill and of the final accord reached on Monday on resolving the problems in Serbia's southern province of Kosovo and Metohija in a peaceful way and by political means.

President Milutinovic presented to the Government a full report on the talks, especially on the interest of the international community in full-scale monitoring of the situation in Kosovo and Metohija.

It has been agreed that the task should be carried out by a mission of the Organization for Security and Cooperation in Europe (OSCE) as the best way of enabling the international community to verify the positive trends under way.

The fact that a positive approach has been adopted is very important, as it will form the basis for a lasting political solution for the autonomy of Kosovo and Metohija within Serbia, in line with the principles of equality of all citizens and ethnic communities living in the area.

In addition, a political framework has been worked out and agreement has been reached on the principles of a political solution and on a timetable framework for its realization, which is an important achievement. The principles are the following:

1. A political approach and a peaceful solution of problems in Kosovo and Metohija, achieved through dialogue, are the only acceptable means for reaching any lasting, just and humane solution to all open issues.

2. Violence and terrorism, as inadmissible means, contrary to all international norms, must stop immediately.

3. Any solution for Kosovo and Metohija must respect the territorial integrity and sovereignty and internationally recognized boundaries of the Federal Republic of Yugoslavia, in full compliance with the basic principles of the Charter of the United Nations, the Helsinki Final Act and the Paris Charter of OSCE.

4. The solution has to be based on the full respect for the equality of all citizens and national communities in Kosovo and Metohija. Full affirmation

and equal treatment of their national, confessional and cultural values and historic patrimony should be guaranteed.

5. The future of Kosovo and Metohija lies in peace, equality, integration, economic prosperity and free and common life, not in ethnic, confessional, cultural or any division or isolation.

6. The legal arrangements establishing Kosovo and Metohija's self-governance and the legal frameworks of the Republic of Serbia and the Federal Republic of Yugoslavia are to be harmonized in accordance with international standards and the Helsinki Final Act.

7. Citizens in Kosovo and Metohija shall govern themselves democratically through assemblies and executive and judicial organs of Kosovo and Metohija. Within nine months, there will be free and fair elections for Kosovo and Metohija authorities, including those at the communal level. The Government of the Federal Republic of Yugoslavia hereby invites OSCE to supervise those elections to ensure their openness and fairness.

8. Members of the national communities shall have additional rights in order to preserve and express their national, cultural, religious and linguistic identities in accordance with international standards and the Helsinki Final Act. The national communities shall be legally equal and shall not use their additional rights so as to endanger the rights of other national communities or other rights of citizens.

9. In the context of the political settlement for Kosovo and Metohija, which will devolve many responsibilities to the communal level, police under local-communal direction will be established. These local police, which will be representative of the local population, will be coordinated by administrative organs of Kosovo. The settlement must address the security of all citizens and national communities.

10. No person will be prosecuted in State courts for crimes related to the conflict in Kosovo, except for crimes against humanity and international law, as set forth in chapter XVI of the Federal Penal Code. In order to facilitate full transparency, the State will allow complete, unimpeded access to foreign (including forensic) experts, along with State investigators.

11. The competent organs shall re-examine, with the aim of extraordinary mitigation of the punishments, the sentences of the sentenced members of the national communities in Kosovo and Metohija for criminal offences motivated by political aims.

Timetable

By Wednesday, 14 October, a comprehensive timetable will be agreed upon building on the following elements:

- By 19 October, an agreement on the status of the international presence, including verification, OSCE and other elements;

- By 2 November, the completion of an agreement containing core elements for a political settlement in Kosovo and Metohija using, as a basis, the paper proposed by the Contact Group (2 October 1998);

- By 9 November, the completion of rules and procedures for elections.

The Serbian Government has fully endorsed the accords that have been reached, as they fully preserve the territorial integrity and sovereignty of the country, avert a conflict and lay the conditions for a political dialogue on the basis of the principle that all solutions must be within the framework of the legal systems of the Republic of Serbia and the Federal Republic of Yugoslavia.

The Serbian Government decided to propose that the Yugoslav Government accept the accords that have been reached.